

Jeffrey A. H.

PATENT
Attorney Docket No.: 97394225

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Group Art Unit: 3616
JOHN F. STUFFLEBEAM)	
THOMAS A. OLSON)	Examiner:
LISLE J. DUNHAM)	VICTOR BATSON
DONALD T. JOHNSON)	
)	
Serial No.: 08/700,216)	
)	
Filing Date: August 20, 1996)	
)	
For: VACUUM SEED METERING)	
MECHANISM HAVING)	
HOUSING OPENINGS)	

Assistant Commissioner for Patents
Washington, D.C. 20231

EXHIBIT B

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Chicago, Illinois 60690-2828
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Double Patenting
Rejections

Basis

Statutory

35USC 101

Non-statutory

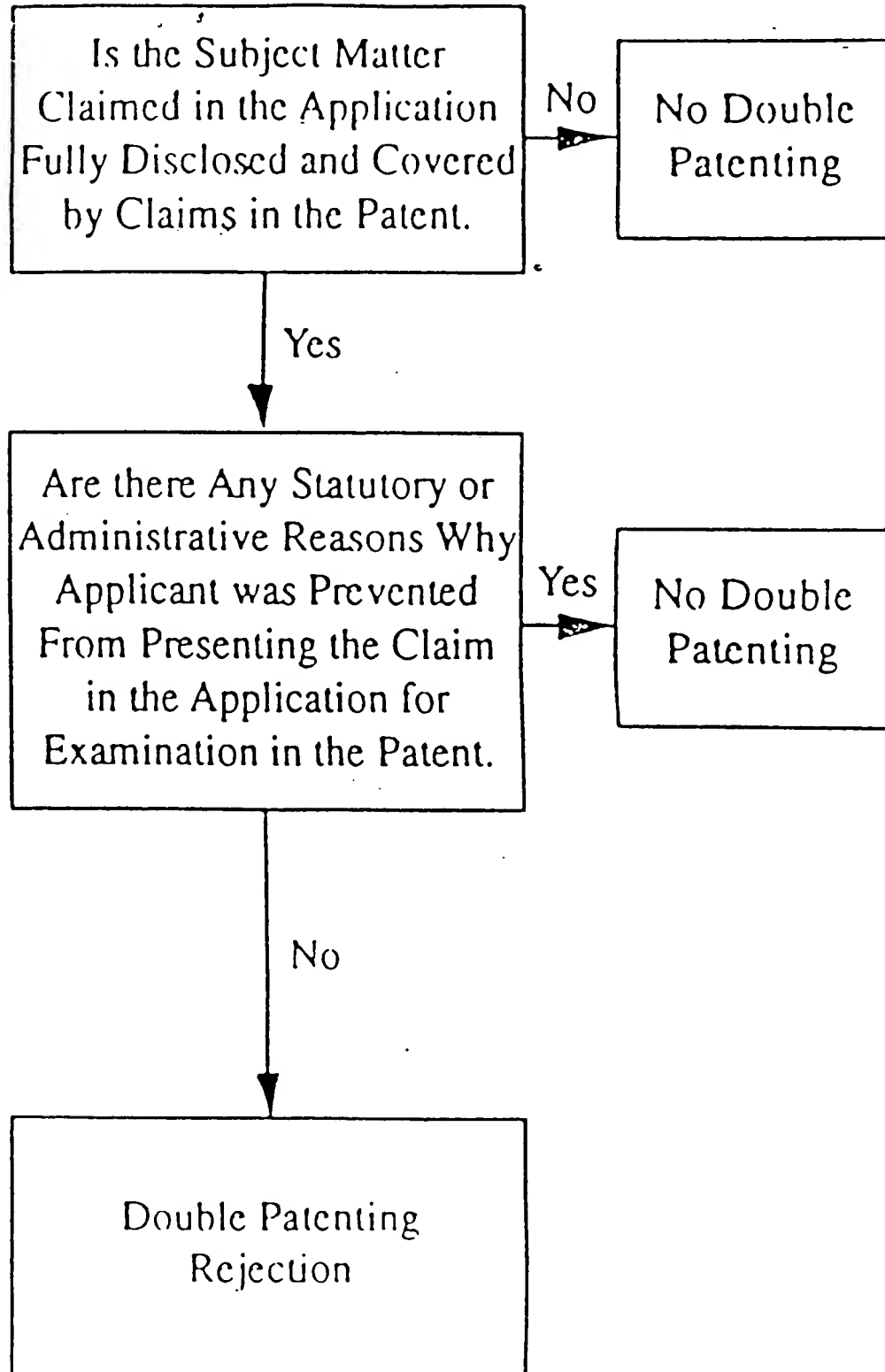
Courts

1. Obviousness

2. Non-obviousness

Non-Statutory Double Patenting

2. Non-Obviousness Type

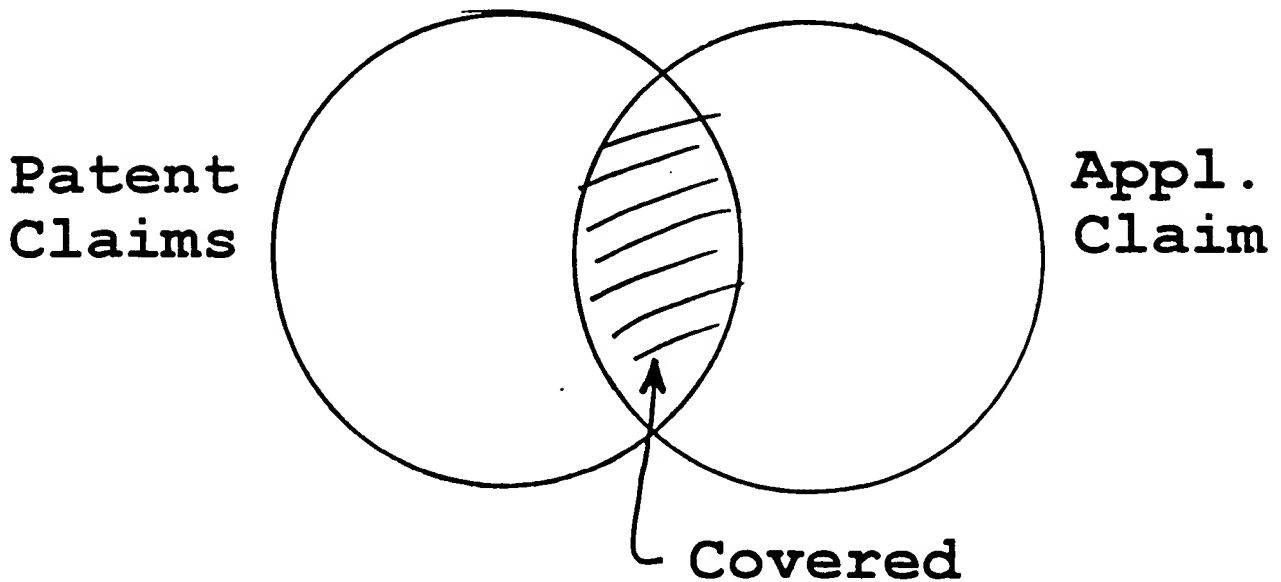


Non-Obviousness Analysis

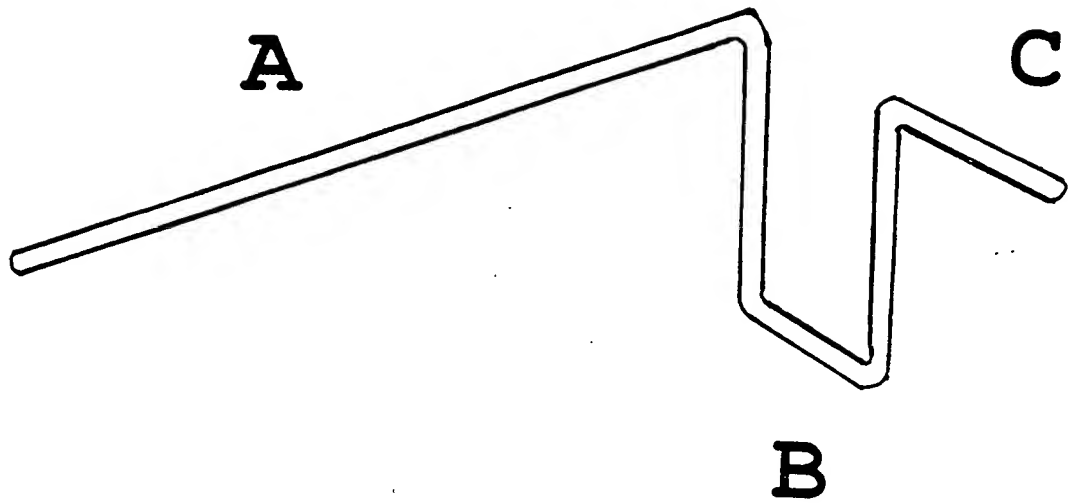
Is the Application Claim:

A. Fully Disclosed
in the Patent ?

B. Covered by Claims
in the Patent ?

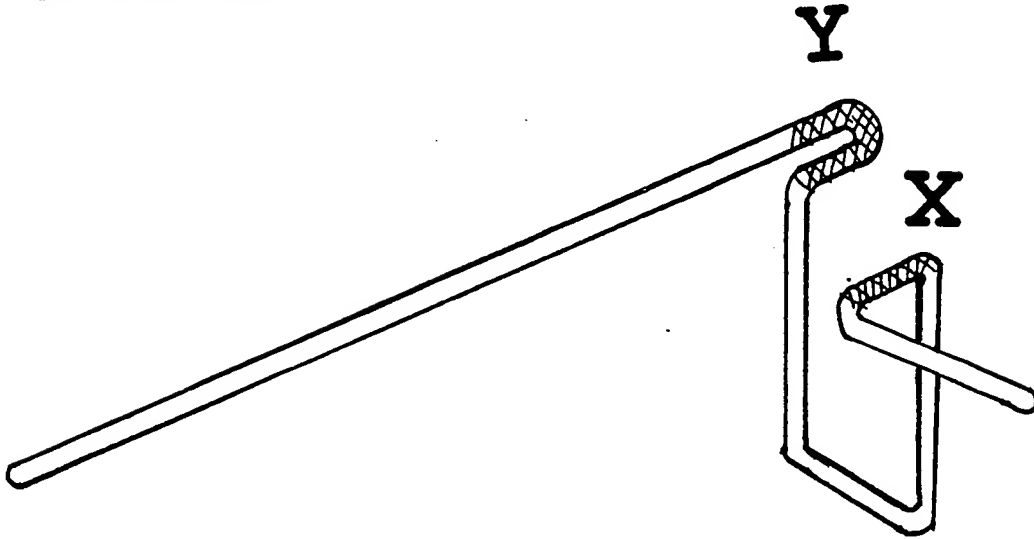


Conventional ABC Clip



In re Schneller

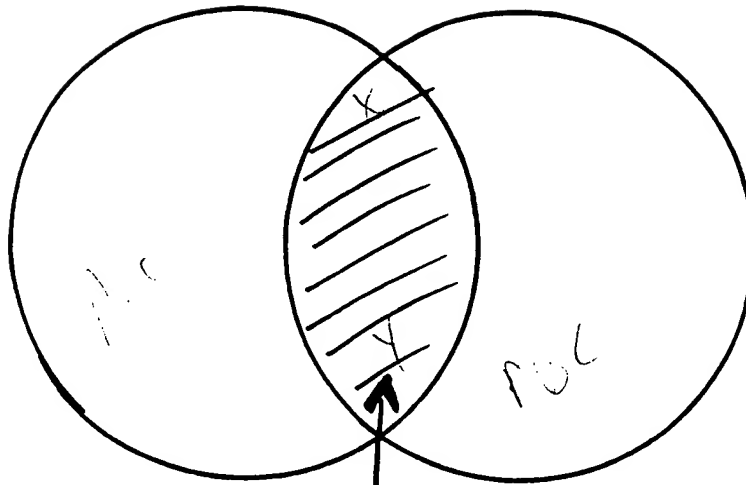
Discloses ABCXY



Patent
Claims
ABCX

Appl.
Claim
ABCY
"Comprising
Elements
A, B, C, Y"

Patent
Claims
ABC**X**



Appl.
Claim
ABC**Y**

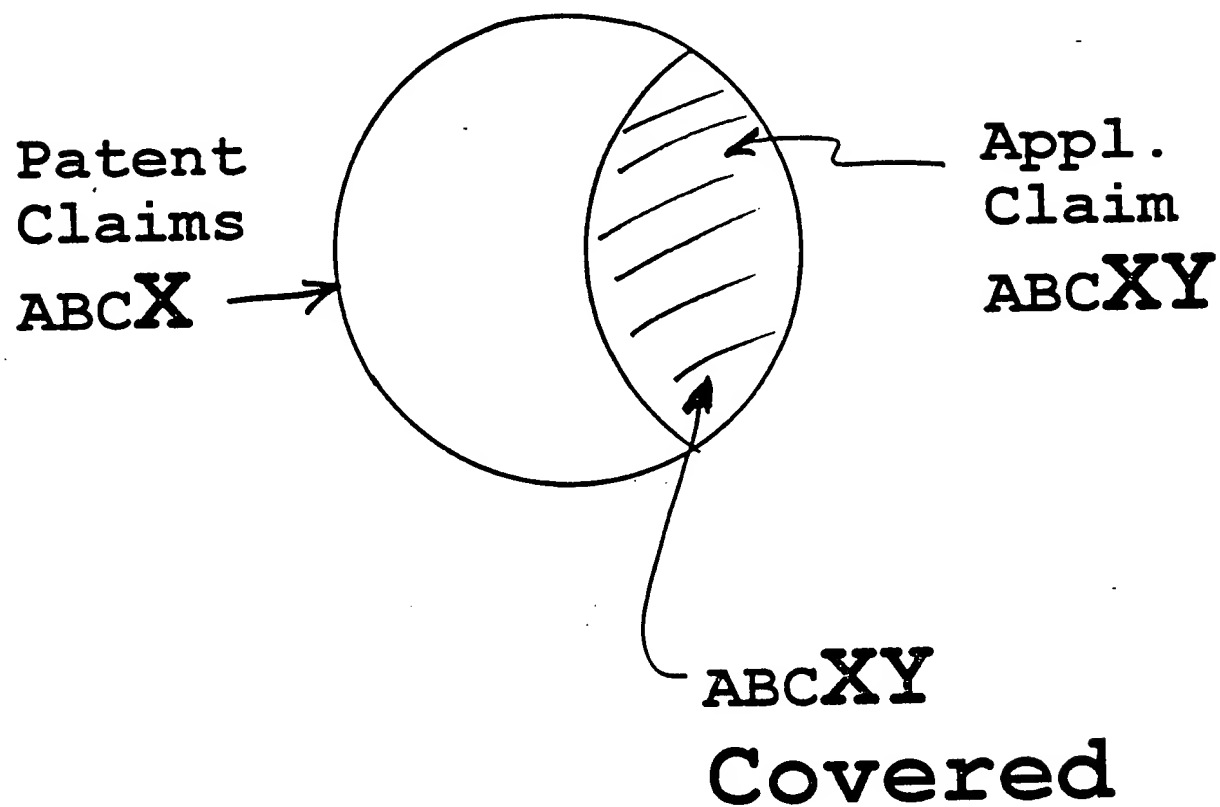
ABC**XY**

Covered

In re Schneller 158 USPQ 215:

"The controlling fact is that patent protection for the clips, fully disclosed and claimed by the claims of the patent, would be extended by the allowance of the appealed claims."

Narrowed Claim Example



Patent
Claims

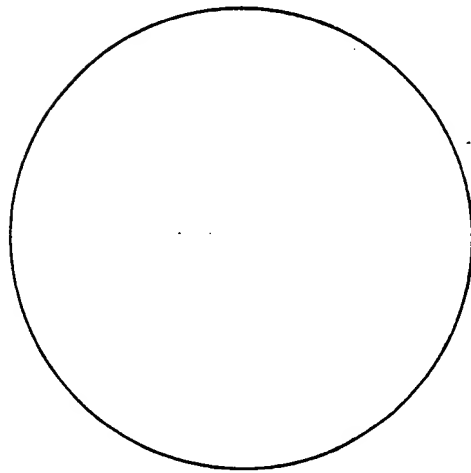
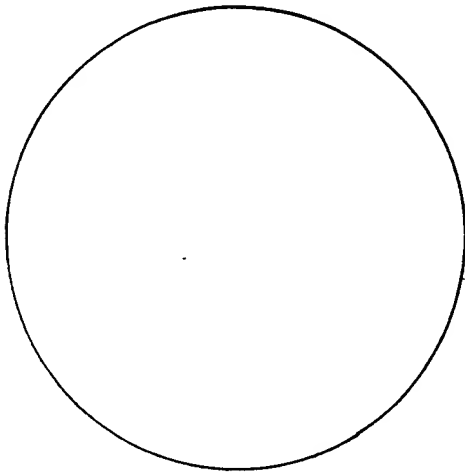
ABC**X**

"Consisting
of A,B,C,**X**"

Appl.
Claim

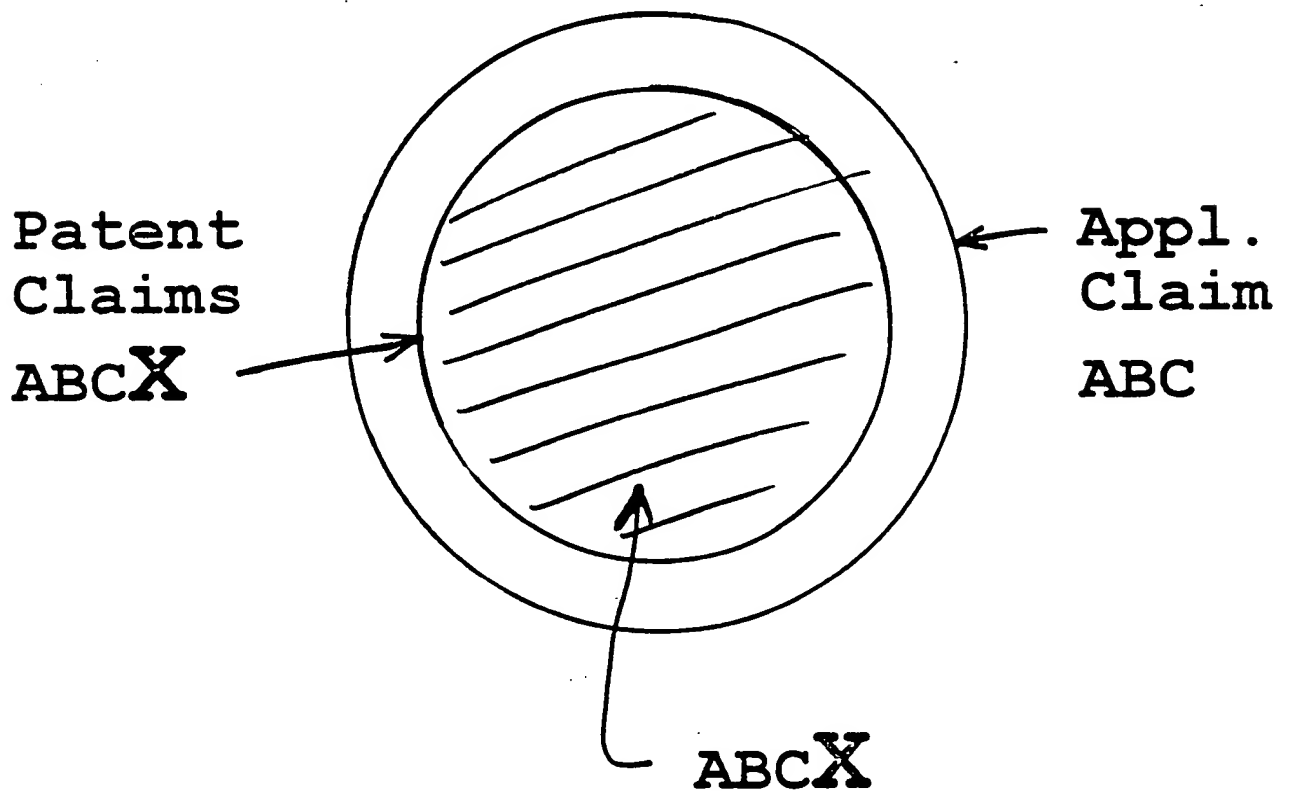
ABC**Y**

"Consisting
of A,B,C,**Y**"



Not Covered

Broadened Claim Example



Covered